

RESOLUTION # 286 APPOINTING HOME CHORE HANDY WORKER FOR AGING PROGRAM.

Councilperson Boschetti offered the following resolution which was seconded by Councilperson Pike.

WHEREAS, the availability of the position of Home Chore Handy Worker was duly advertised; and

WHEREAS, all applicants were thereafter interviewed.

NOW, THEREFORE, BE IT RESOLVED that Brian Hoey be and is hereby appointed to the position of Home Chore Handy Worker with the Town of Riverhead at the hourly rate of \$6.40 and not to exceed 16 hours per week; and

BE IT FURTHER RESOLVED, that the effective date of employment for Brian Hoey is April 25, 1989; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Brian Hoey, 47 Dale Avenue, Riverhead, New York, Andrea Lohneiss, Director of Community Development and the Office of Accounting.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD

RESOLUTION # 287

AWARDS BID FOR ONE (1) 1988 INTERNATIONAL MODEL 1954
WITH 1988 18 YARD LEACH PACKER

COUNCILPERSON Lombardi OFFERED THE FOLLOWING RESOLUTION WHICH
WAS SECONDED BY COUNCILPERSON Civiletti

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS
FOR THE PURCHASE OF ONE (1) 1988 INTERNATIONAL MODEL 1954 WITH
1988 18 YARD LEACH PACKER FOR THE USE OF THE RIVERHEAD HIGHWAY
DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 5TH OF
APRIL, 1989 AT 11:00 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE
RIVERHEAD, N.Y. THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO
BIDDERS, AND

WHEREAS, ONE BID WAS RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID FOR THE
PURCHASE OF ONE (1) 1988 INTERNATIONAL MODEL 1954 WITH 18 YARD
LEACH PACKER BE AND IS HEREBY AWARDED TO TRUX OF SUFFOLK, 1653
OLD COUNTRY ROAD, RIVERHEAD, NEW YORK 11901 IN THE AMOUNT OF
\$43,400.00.

AND BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS
HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION
TO TRUX OF SUFFOLK AND THE RIVERHEAD HIGHWAY DEPARTMENT.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

288 REFERS COASTAL EROSION MANAGEMENT CODE TO PLANNING BOARD

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, the New York State Legislature has recognized the adverse impacts of coastal construction as set out in the "State of Findings", Section 34-0101 of Article 34 of the Environmental Conservation Law; and

WHEREAS, the Riverhead Town Board has declared itself lead agency in this action; and

WHEREAS, draft regulations have been drawn for the Town of Riverhead; and

WHEREAS, the Town Board of the Town of Riverhead wishes to forward these regulations to the Planning Board for its recommendations.

NOW, THEREFORE, BE IT

RESOLVED, that the proposed regulations for Coastal Erosion Management be forwarded to the Planning Board for its recommendations and comments; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Planning Board.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

(See following pages for code in its entirety)

**DRAFT COPY
FOR REVIEW PURPOSES ONLY****SECTION - 1 Findings**

The Town Board of the Town of Riverhead, New York, has determined that development along the coastal areas of the Town may result in the destruction or damage to housing, destruction or damage to public or private facilities, injury to and/or loss of human life, destruction or damage of significant ecological, geological, or hydrological areas. In order to mitigate the potentials for such damages and to achieve the purposes and objectives hereinafter set forth, this Chapter is adopted.

SECTION - 2 Purpose

(a) The purpose of this Chapter is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood and/or erosion conditions in specified areas. The procedural requirements for this program will be established and outlined.

(b) Land use, development, and other activities are regulated in coastal areas subject to serious erosion to minimize or prevent damage or destruction to man-made property, natural protective features, other natural resources, and to protect human life.

(c) New construction or placement of structures is regulated to place them a safe distance from areas of active erosion to ensure that these structures are not prematurely destroyed or damaged due to improper siting.

(d) Public investment in services, facilities, or activities which are likely to encourage new permanent development in erosion hazard areas is restricted.

(e) Publicly financed erosion protection structures to minimize erosion damage are to be used only where necessary to protect human life or where the public benefits of such structures clearly outweigh the public expenditures.

(f) The construction of erosion protection structures is regulated in coastal areas subject to serious erosion to assure that, when the construction of erosion protection structures is justified, their construction and operation will minimize or prevent damage or destruction to man-made property, private and public property, natural protective features, and other natural resources.

(g) New construction will be regulated in order to qualify for and maintain participation in the National Flood Insurance Program.

SECTION - 3 Definitions

The following words, terms, or phrases have the meaning indicated so as to give this Chapter its most reasonable application. The extent of the bluff area, erosion hazard area, flood hazard area, and the Coastal Management Zone are indicated on Coastal Management Zone Maps which have been adopted by the Town of Riverhead.

(a) "Accessory Structures" means a minor or appurtenant structure attached to or placed near a principal structure. Such structures will not change the land use or density.

(b) "Beach" means the zone of unconsolidated sand, gravel, cobble, or similar material that extends landward, from the mean low water line, to the place where there is a marked change in material or physiographic form, or to the line of permanent vegetation, or to the seaward toe of a dune, whichever is most seaward.

(c) "Bluff" means any seaward sloping bank or cliff with a slope of 20 percent or more. The seaward limit of a bluff is the landward limit of its contiguous beach. Where no beach is present, the seaward limit is mean low water. The landward limit of the bluff will be the point at which the slope of the land mass becomes less than 20 percent. Where there is a further seaward sloping land mass within 50 feet of the limit mentioned above, this will be considered a continuation of the bluff if the slope is 20 percent or greater.

(d) "Coastal Management Zone" refers to land bounded by a line 100 feet landward of the Erosion Buffer Zone and 200 feet landward of the Erosion Hazard Area as delineated by the New York State Department of Environmental Conservation. Where appropriate, the Coastal Management Zone has been extended landward to include seaward sloping ravines or depressions which have slopes of 20 percent or greater.

(e) "Coastal Management Zone Map" refers to the final map prepared for the Town delineating the coastal management zone and erosion/flood hazard areas.

(f) "Debris Line" means a linear accumulation of waterborne debris deposited by high waters on a beach.

(g) "Dune" means a ridge or hill of loose, windblown, or artificially placed material whose principal component is sand.

(h) "Erosion" means the loss or displacement of land along the coastline due to the action of waves, currents, tides, wind-driven water, waterborne ice, or other impacts of storms. It also means the loss or displacement of land due to the action of wind, runoff of surface waters, or groundwater seepage.

(i) "Erosion Area Permit" means the written approval required by this Chapter for the undertaking of any regulated activity within the coastal management zone as shown on the coastal management zone maps.

(j) "Erosion Buffer Zone" includes land bounded by a line 100 feet landward of the Erosion Hazard Area as delineated by the New York State Department of Conservation.

(k) "Erosion Hazard Area" means an area of the coastline which is:

- (1) A structural hazard area, or
- (2) A natural protective feature area.

(l) "Erosion Protective Measure" means an action specifically designed to reduce or prevent erosion such as a groin, jetty, seawall, revetment, bulkhead, breakwater, or artificial beach nourishment project.

(m) "Existing Structure" means a structure in existence, or one whose construction had commenced prior to the adoption of this enactment.

(n) "Flood Hazard Area" refers to that coastal area subject to high-velocity waters, including, but not limited to, hurricane wave wash. This area is determined from the National Flood Insurance Program Maps.

(o) "Major Addition" means an addition which results in a 25 percent or greater increase in the ground area coverage of a structure. The increase will be calculated as the ground area coverage to be added, including any additions previously constructed under an erosion area permit, divided by the ground area coverage of "existing structures" as defined in subdivision (r) above.

(p) "Mean Low Water" means the approximate average low water level for a given body of water at a given location, determined by reference to U.S. Coast and Geodetic Survey (mean sea level) datum.

(q) "Modification" means a change in size, design, or function.

(r) "Movable Structure" means a structure designed and constructed to be readily relocated with minimum disruption or intended use. Mobile homes and structures built on skids and not having a permanent foundation are examples of movable structures.

(s) "Natural Protective Feature" means a nearshore area, beach, bluff, primary dune, secondary dune, or wetland, and the vegetation thereon.

(t) "Natural Protective Feature Area" means a land and/or water area containing natural protective features, the alteration of which might reduce or destroy the protection afforded other lands against erosion or high water. All natural protective feature areas are delineated as such on coastal erosion hazard area maps.

(u) "Nearshore Area" means those lands under water beginning at the mean low water line and extending in a direction perpendicular to the shoreline to a point where mean low water depth is 15 feet, or to a horizontal distance of 1000 feet from the mean water line, whichever is greater.

(v) "Normal Maintenance" means periodic replacement or repair of same-kind structural elements or protective coatings which do not change the size, design, or function of the original structure.

(w) "Permit" means an erosion/flood hazard area permit.

(x) "Person" means any individual, public or private corporation, political subdivision, government agency, public improvement district, partnership, association, firm, trust, estate, or any other legal entity whatsoever.

(y) "Primary Dune" means the most seaward major dune where there are two or more parallel dune lines within a coastal area. Where there is only one dune present, it is the primary dune. Occasionally, one or more relatively small dune forms exist seaward of the primary dune. For the purposes of this Part, such forms will be considered to be part of the primary dune. The seaward limit of a primary dune is the landward limit of its fronting beach. The landward limit of a primary dune is 25 feet landward of its landward toe.

(z) "Receding Edge" means the most landward line of active erosion, or in cases where there is no discernible line of active erosion, it is the most seaward line of permanent vegetation.

(aa) "Recession Edge" means the rate, expressed in feet per year, at which an eroding shoreline moves landward.

(bb) "Regulated Activity" means the construction or placement of a structure, or any action or use of land which materially alters the condition of land, including grading, excavating, dumping, mining, dredging, filling, or other disturbance of soil. Regulated activity does not include routine agricultural operations involving cultivation and harvesting, and the implementation of practices recommended in a soil and water conservation plan as defined in Section 3 (12) of the Soil and Water Conservation Districts Law provided; however, that agricultural

operations and implementation of practices will not be construed to include any activity that involves the construction or placement of a structure.

(cc) "Restoration" means the reconstruction of a structure, the cost of which equals or exceeds 50 percent of the estimated full replacement cost of the structure.

(dd) "Secondary Dune" means the major dune immediately landward of the primary dune. The seaward limit of a secondary dune is the landward limit of its fronting primary dune. The landward limit of a secondary dune is 25 feet landward of its landward toe.

(ee) "Significant Fish and Wildlife Habitat" means those designated habitats which:

- (1) Are essential to the survival of a large portion of a particular fish or wildlife population, or
- (2) Support rare or endangered species, or
- (3) Are found at a very low frequency within a geographic area, or
- (4) Support fish or wildlife populations having significant commercial or recreational value, or
- (5) Would be difficult or impossible to replace.

(ff) "Structure" means any object constructed, installed, or placed in, on, or under land or water; including, but not limited to, a building; permanent shed; garage; mobile home; public service distribution, transmission, or collection system; tank; pier; dock; wharf; groin; jetty; seawall; revetment; bulkhead; or breakwater; or any addition to or alteration of the same.

(gg) "Toe means the lowest point on a slope of a dune or bluff.

(hh) "Town" refers to the local government of the Town of Riverhead.

SECTION - 4 Functions of Natural Protective Features

(a) Natural features such as beaches, bluffs, dunes, and nearshore areas, and the vegetation thereon, protect coastal areas and human lives from wind and water erosion and storm-induced high water. Inappropriate activities of man may diminish or eliminate entirely the erosion buffering function of natural protective features.

(b) The specific functions and protective values of different types of natural protective features may vary. Certain types of natural protective features are intrinsically better suited for certain types of uses, activities, or development than others. The standards and development restrictions of this Part that apply to regulated activities within specific types of natural protective features are based on:

(1) The protective functions that specific types of natural protective features provide, and

(2) The interaction between specific types of natural protective features and physical coastal processes.

(c) Described below are the erosion protection functions of various types of natural protective features and their relationship to physical coastal processes. These descriptions are to be used to guide the review of applications as required in Section 4 of this Part and in the review of variance requests as required in Section 13 of this Part.

(1) Beaches buffer shorelands from erosion by absorbing wave energy that otherwise would be expended on the toes of bluffs or dunes. Beaches that are high and wide protect shorelands from erosion more effectively than beaches that are low or narrow. Beaches also act as a reservoir of sand or other unconsolidated material for longshore littoral transport and offshore sandbar and shoal formation.

(2) Bluffs protect shorelands and coastal development by absorbing the often destructive energy of open water. Bluffs are of greatest protective value during times of storm-induced high water. Bluffs are a source of depositional material for beaches and other unconsolidated natural protective features.

(3) Dunes, along with bluffs and beaches, buffer shorelands from the energy of open water. Like bluffs, dunes are of greatest protective value during conditions of storm-induced high water. Because dunes often protect some of the most biologically productive as well as developed coastal areas, their value as protective features is especially great. The two primary functions of dunes are prevention of wave overtopping and storage of sand for coastal processes. High, vegetated dunes provide a greater degree of protection than low, unvegetated ones. The keys to maintaining a stable dune system are the establishment and maintenance of beachgrass or other vegetation on the dunes and assurance of a supply of nourishment sand to the dunes.

(4) Nearshore areas dissipate a substantial amount of wave energy before it is expended on beaches, bluffs, or dunes by causing waves to collapse or break. Nearshore areas also function as reservoirs

of sand, gravel, and other unconsolidated material that is returned to beaches. Sandbars, which are located in nearshore areas, control the orientation of incoming waves and promote the development of ice cap formations which help to protect shorelines during winter storms. The roots of aquatic vegetation in nearshore areas bind fine grained silts, clays, and organic matter to form a fairly cohesive bottom that resists erosion. Such vegetation also assists in trapping sediments.

SECTION - 5 Restrictions on Regulated Activities Within Erosion Hazard Areas

(a) The construction or placement of any structure, or major addition to an existing structure, is prohibited within the erosion hazard areas. Exception to this will be approved stairway and walkway accesses to beach areas.

(b) Any structure which has been built or placed within the Erosion Hazard Area, as delineated by the New York State Department of Environmental Conservation, prior to April 2, 1983, and which is indicated on either the Coastal Management Maps adopted by the Town or on the Coastal Erosion Hazard Area Maps (Town of Riverhead) prepared by the New York State Department of Environmental Conservation will not be regulated by this Chapter of the Town Code unless such structures are to be modified, enlarged, or removed. The owner(s) of any structure(s) built or placed within the Erosion Hazard Area after April 2, 1983, and which are not indicated on the Coastal Management Maps adopted by the Town or on the Coastal Erosion Hazard Area Maps (Town of Riverhead) prepared by the New York State Department of Environmental Conservation, and who have not procured a Building Permit for such structure; must

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apply to the Town for proper permits for such a structure. If such a structure within the Erosion Hazard Area does not comply with the requirements of the Town's Building Code, said structure must be modified to comply with the Town's Building Code. If such structures are not brought into compliance with the Town's Building Code, or corrective recommendations are not undertaken, such structures may be ordered removed at the discretion of the Town Board. If such structures within the Erosion Hazard Area are subsequently identified and application for appropriate permits has not been filed within a reasonable period of time, the Town Board may order the removal of such structure.

(c) An erosion area permit is required for the installation of public service distribution, transmission, or collection systems for gas, electricity, water, or wastewater. Systems installed to serve coastline development along mainland shorelines must be located landward of the shoreline structures being served.

(d) Any grading, excavating, or other soil disturbance conducted within an erosion hazard area must not direct surface water runoff over the receding edge.

LOCAL REGULATION OF COASTAL AREAS

SECTION - 6 Erosion Buffer Zone, Coastal Management Zone, and Flood Hazard Zone Permits

(a) Any person or state agency proposing to undertake a regulated activity within a designated Erosion Buffer Zone, Coastal

Management Zone, or Flood Hazard Zone must first obtain a permit from the Town of Riverhead.

(b) Permit applications are available from the Office of the Town Clerk. Applications must be made on the form prescribed by the Town and must include the following information:

- (1) A description of the proposed activity, and
- (2) A map drawn to a scale no greater than 1":100', with a minimum contour interval of 5', showing the location of the proposed activity, and
- (3) Additional information the Town may require to properly evaluate the proposed activity. Permit applications are not complete until the appropriate fee, as specified in Section 14 of this Part, is submitted. Completed permit applications will be submitted to the Chairperson of the Conservation Advisory Council for review and recommendation to the Town Board.
- (4) All regulated activities are subject to the review procedures required by the State Environmental Quality Review Act (SEQR), Article 8 of the Environmental Conservation Law. The applicant may be required to submit information necessary for compliance with SEQR in addition to information required under this Part.

(c) A permit may be issued with such terms and conditions as are necessary to ensure compliance with the policies and provisions of the Act and of this Part.

(d) A permit issued pursuant to this Part does not relieve such permit applicant from the responsibility of obtaining other permits

or approvals as may be necessary, nor does it convey any rights or interest in real property under the jurisdiction of the State of New York.

SECTION - 7 Standards for Issuance of Erosion Buffer Zone Permits

(a) A permit will be issued only if the Town finds that the proposed regulated activity:

(1) Is reasonable and necessary, considering reasonable alternatives to the proposed activity and the extent to which the proposed activity requires a shoreline location, and

(2) Will not be likely to cause a measurable increase in erosion at the proposed site or at any other locations, and

(3) Prevents, if possible, or minimizes adverse effects on natural protective features and their protective value functions as described in Section 4 of this Part, existing erosion protection structures, or natural resources; including, but not limited to, significant fish and wildlife habitats and shellfish beds.

(b) Appurtenances which will not require any excavation are to be set back a minimum of 25 feet from the Erosion Hazard Area. The vertical load of such appurtenances will be carried by pilings or supports which result in minimum damage to the stability of the ground.

(c) Construction which requires ground excavation, construction which requires the presence or movement of heavy equipment, or construction of a primary residence must be set back a minimum of 50 feet from the Erosion Hazard Area.

(d) Any construction within the Erosion Buffer Zone will require a disclaimer from the applicant that will relieve the Town of

any liability of damages which may be incurred to the property or structures of an applicant due to natural coastal processes or events.

SECTION - 8 Restrictions on Regulated Activities Within
Natural Protective Feature Areas

(a) Nearshore areas; the following restrictions and requirements apply to regulated activities in nearshore areas:

(1) Excavating, mining, or dredging; which diminishes the erosion protection afforded by nearshore areas, is prohibited. However, permits for dredging may be issued for constructing or maintaining navigable depth of water, and bypassing sand around natural and man-made obstructions, or artificial beach nourishment.

(2) Clean sand or gravel is the only material which may be deposited within nearshore areas. Any deposition will require a permit.

(3) A permit is required for new construction, modification, or restoration of docks, piers, wharves, groins, jetties, seawalls, bulkheads, breakwaters, revetments, and artificial beach nourishment.

(b) Beaches; the following restrictions and requirements apply to regulated activities on beaches:

(1) Excavating or mining, which diminishes the erosion protection afforded by beaches, is prohibited.

(2) The following restrictions apply to the use of motor vehicles on beaches:

(i) Motor vehicles must operate seaward of the upper debris lines at all times. On those beaches where no debris line

exists, motor vehicles must operate seaward of the toe of the primary dune or the bluff; and

(ii) Motor vehicles must not travel on vegetation.

(3) A permit for deposition of material on beaches will be issued only for expansion or stabilization of beaches; clean sand or gravel must be used.

(4) Minor beach grooming or clean-up operations do not require a permit.

(5) A permit is required for new construction, modification, or restoration of docks, piers, wharves, boardwalks, groins, jetties, seawalls, bulkheads, breakwaters, revetments, and artificial beach nourishment projects.

(6) Docks, piers, wharves, or other structures built on floats which are removed in the fall of each year also require a one-time permit application.

(7) Active shore bird nesting and breeding areas must not be disturbed unless such disturbance is pursuant to a specific wildlife management activity approved in writing by the New York State Department of Environmental Conservation.

(c) Bluffs; the following restrictions and requirements apply to regulated activities on bluffs.

(1) Excavating or mining of bluffs is prohibited except where the minor alteration of a bluff is done in accordance with conditions stated in a permit issued for the construction of an erosion or flood protection structure.

(2) Vehicular traffic is prohibited on bluffs.

(3) A permit is required for new construction, modification, or restoration of erosion protection structures, walkways, or stairways.

(4) Active bird nesting and breeding areas must not be disturbed unless such disturbance is pursuant to a specific wildlife management activity approved in writing by the New York State Department of Environmental Conservation.

(5) Any grading, excavating, or other soil disturbance conducted on a bluff must not direct surface water runoff over the receding edge.

(d) Dunes; the following restrictions and requirements apply to regulated activities on all dunes within the erosion/flood hazard area:

(1) Excavating or mining of primary dunes is prohibited.

(2) Vehicular traffic is prohibited on any dunes, except in those areas designated by regulating agencies.

(3) Foot traffic which causes sufficient damage to any dunes to diminish the erosion protection afforded by them is prohibited. Pedestrian passage across dunes must utilize elevated walkways and stairways, or other specially designed dune crossing structures approved by the Town.

(4) All development is prohibited on dunes.

(5) A permit is required for new construction, modification, or restoration of stone revetments or other permeable erosion protection structures compatible with dunes placed at the seaward toe of the dunes, and for elevated walkways, or stairways.

(6) Clean sand obtained from excavation, dredging, or beach grading may be deposited on a primary dune, or on an area formerly a dune, to increase its size or restore it. Such deposition must be vegetatively stabilized using native species tolerant to salt spray and sand burial; e.g., American beach grass. Such deposition requires a permit.

(7) There shall be no deposition in vegetated areas unless vegetation is removed and replanted.

(8) Vegetative planting and sand fencing, to stabilize or entrap sand in order to maintain or increase the height and width of dunes, does not require a permit, but vegetative plantings must be of native species tolerant to salt spray and burial; e.g., American beach grass.

(9) Active shore bird nesting and breeding areas must not be disturbed unless such disturbance is pursuant to a specific wildlife management activity approved in writing by the New York State Department of Environmental Conservation.

SECTION - 9 Erosion/Flood Protection Structures

Construction of erosion or flood protection structures is expensive, often only partially effective over time, and may even be harmful to adjacent or nearby properties. In some areas of the coastline, major erosion or flood protection structures of great length would be required to effectively reduce future damages due to erosion or flooding. However, in those instances where properly designed and constructed structures will be likely to minimize or prevent damage or destruction to man-made property, private and public property, natural protective features, and other natural resources, construction of erosion and/or

flood protection structures may be allowed. In such cases, the construction, modification, or restoration of such structures is subject to the following requirements:

(a) A permit is required for construction, modification, or restoration of erosion/flood protection structures including the modification or restoration of erosion/flood protection structures that were constructed without a permit.

(b) All erosion/flood protection structures must be designed and constructed according to generally accepted engineering principles, which have demonstrated success, or where sufficient data is not currently available, a likelihood of success in controlling long-term erosion or flooding. The protective measures must have a reasonable probability of controlling erosion on the immediate site for at least 30 years and have approval of the Riverhead Building Department.

(c) A long-term maintenance program must be included with every permit application for construction, modification, or restoration of an erosion/flood protection structure. That program must include specifications for normal maintenance of degradable materials and the periodic replacement of removable materials.

(d) All materials used in such structures must be durable and capable of withstanding inundation, wave impacts, weathering, and other effects of storm conditions. Individual component materials may have a working life of less than 30 years only when a maintenance program ensures that they will be regularly maintained and replaced as necessary to attain the required 30 years of erosion protection.

(e) The construction, modification, or restoration of erosion/flood protection structures must:

(1) Not be likely to cause any measurable increase in erosion at the development site or other locations; and

(2) Minimize, and, if possible, prevent adverse effects to natural protective features, existing erosion protection structures, and natural resources such as significant fish and wildlife habitats.

SECTION - 10 Appeal of Erosion/Flood Hazard Area Designation

(a) Any person who owns real property within a designated erosion/flood hazard area may appeal that designation.

(b) Erosion/flood hazard area designation appeals may be made after the coastal management zone map(s) including the subject lands has been filed with the Town Clerk.

(c) Any person wishing to make an appeal pursuant to this Section must complete an Erosion/Flood Hazard Area Designation Appeal application and submit it to the Town Board. Appeal applications are available at the Office of the Town Clerk at Riverhead Town Hall. Appeal applications are not complete until the applicant provides all necessary information and the appropriate fee specified in Section 14 (Fees).

(d) The Town Board will reply to the appeal within 45 working days after receipt of a complete appeal application, and, if necessary, will adjust the erosion/flood hazard area boundaries accordingly.

(e) The sole acceptable basis for an erosion/flood hazard area designation appeal is technical information indicating that:

(1) The subject area was erroneously identified as a natural protective feature area.

(2) The subject area does not meet the definition of a bluff or bluff area.

(3) The subject area should not be included in the 100-year flood zone.

SECTION - 11 Emergency Activities

(a) The permit requirements of Section 6 of this Part do not apply to emergency activities that are necessary to protect public health, safety, or welfare including preventing damage to natural resources. Whenever emergency activities are undertaken, damage to natural protective features and other natural resources must be prevented, if possible; or minimized. Within two working days after the commencement of emergency measures, the person responsible for taking those measures must:

(1) Notify the Conservation Advisory Council and describe the emergency and the public health or safety or resources whose protection was sought, and

(2) Prepare documentation; i.e., photographs, to substantiate the necessity for emergency activities.

(3) Describe the measures which were taken to secure such protection.

(b) After completion of the emergency measures, the Town may require such information in writing.

(c) If the Town determines that a regulated activity undertaken without a permit does not meet the emergency activity criteria of this Section, the Town Attorney will order the immediate cessation of such activity. In addition, the Town may require:

(1) Removal of any structure that was constructed or placed without a permit, and

(2) The return to former conditions of any natural protective features that were excavated, mined, or otherwise disturbed without a permit.

SECTION - 12 Bond

The Town may require a bond or other form of financial security if it determines that a person submitting an application for a permit has a record of non-compliance with the terms or conditions of permits issued by the Town. Such bond or security must be in an amount, with such surety and conditions as are satisfactory to the Town so as to ensure compliance with the terms and conditions stated in the permit.

SECTION - 13 Variances

(a) When an applicant can demonstrate that the strict application of the restrictions or requirements of Sections 5, 6, 7, and 8 of this Part will cause practical difficulty or unnecessary hardship, any such restriction or requirement may be varied or modified, provided that the following criteria are met:

(1) No reasonable, prudent, alternative site is available;
and

(2) All responsible means and measures to mitigate adverse impacts on natural systems and the functions and protective values described in Section 4 of this Part have been incorporated into the project design and will be implemented at the developers expense; and

(3) The development will be reasonably safe from flood and erosion damage; and

(4) The variance requested is the minimum necessary to overcome the practical difficulty or hardship which was the basis for requesting it; and

(5) Where public funds are utilized, the public benefits clearly outweigh the long-term adverse effects for any proposed activities and development.

(b) Any person wishing to make a request for a variance must do so in writing to the Town Board. The variance request must specify the standard, restriction, or requirement to be varied and how the requested variance meets the criteria established in subdivision (a) of this Section. The burden of demonstrating that the requested variance meets these criteria rests entirely with the applicant. The Town Board shall reply to the variance request within 45 working days.

SECTION - 14 Fees

(a) Applications for erosion/flood area permits and erosion/flood hazard area designation appeals must be accompanied by a money order or personal check made payable to the Town of Riverhead in the amount specified in Subdivision (c) of this Section.

(b) If an application is withdrawn before it is determined complete, the fee will be returned to the applicant upon request.

(c) Fees for review of applications.

(1) Appeal of erosion/flood hazard area designation, \$50.

- (2) Construction or placement of structures other than erosion protection structures, docks, piers, and wharves, \$40.
- (3) Excavation, grading, mining, or filling:
 - (i) Projects not exceeding 100 cubic yards, \$25.
 - (ii) Projects greater than 100 cubic yards, \$50.
 - (iii) Projects greater than 1000 cubic yards, \$100.
- (4) Dredging:
 - (i) Projects not exceeding 100 cubic yards, \$25.
 - (ii) Projects greater than 100 cubic yards, \$50.
 - (iii) Projects greater than 1000 cubic yards, \$100.
- (5) Construction or modification of docks, piers, or wharves:
 - (i) Fixed docks, \$35.
 - (ii) Solid fill docks, \$50.
 - (iii) Floating docks on piles or fixed dock, ramp, and float combination, \$25.
- (6) Construction or modification of erosion protection structures:
 - (i) Structures not exceeding 100 linear feet, \$50.
 - (ii) Structures greater than 100 linear feet, \$100.
- (7) All projects or activities not listed in paragraphs (1) through (6) of this Section, \$50.

(d) When an owner of real property appeals the designation of that real property as an erosion/flood hazard area pursuant to Section 10 of this Part and such appeal results in an amendment to a coastal management zone, the erosion/flood hazard area designation appeals fee will be refunded without interest.

SECTION - 15 Notice of Violation; Penalties for Offenses

(a) Any person, firm, corporation, or entity found violating any provision of this Section or conditions imposed by the Town Board upon an approved permit shall be served with a written notice at the direction of the Town Board stating the nature of the violation and providing a specified time within which the violation shall cease and satisfactory corrective action taken by the violator.

(b) Any person, firm, corporation, or entity violating this Section shall be guilty of an offense and shall, upon conviction thereof, be punishable by fine or imprisonment, or both. Fines may be up to one thousand dollars (\$1,000.00) and imprisonment may be for thirty (30) days or less.

(c) Any person, firm, corporation, or entity who shall continue such violation beyond the time limit specified by the Town Board shall be guilty of another offense and shall, upon conviction thereof, be fined in an amount not to exceed one thousand dollars (\$1,000.00) for each offense or imprisoned thirty (30) days, or both.

(d) Each day of such violation shall constitute a separate offense under this Section.

(e) In the event that any person, firm, corporation, or entity shall continue any violation beyond the time limit specified by the Town Board, the Town Board shall direct the Town Attorney to apply to the Supreme Court in the 10th Judicial District for an order directing that the violation be corrected or removed and that all costs and expenses incurred by the Town of Riverhead in connection with proceedings, including the actual costs of correction or removal, shall be assessed against the offender.

(f) Any person, firm, corporation, or entity violating the provisions of this Section shall become liable to the Town for any expense or loss or damage occasioned the Town by reason of such violation.

(g) In addition to any penalties, fines, forfeitures, or injunctions that may be imposed pursuant to this Section, an applicant who files an application for a permit, after a violation of this Section has occurred, shall pay an application fee of one hundred dollars (\$100.00) in lieu of the appropriate application fee provided for in Section 14.

SECTION - 16 Severability

The provisions of this Section are severable. If any clause, sentence, paragraph, subdivision, or part is adjudged invalid by a court of competent jurisdiction, the effect of such order or judgment is confined to the controversy to which it was rendered. Such order or judgment does not affect or invalidate any other provisions of this Part or their application to other persons and circumstances.

289 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE RE:
A PROPOSED LOCAL LAW AMENDING LOCAL LAW NO. 1-1979 ENTI-
TLED "APPEARANCE TICKETS"

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti:

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice with regard to a proposed local law amending Local Law No. 1-1979 entitled "Appearance Tickets":

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 2nd day of May, 1989, at 7:45 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to a proposed local law amending Local Law No. 1-1979 entitled "Appearance Tickets" by amending Section 3-1 as follows:

Section 3-1. Authorized issuing officers.

Pursuant to the provisions of the Municipal Home Rule Law, the Building Inspector, the Zoning and Building Administrator, the Fire Inspector, and the Ordinance Inspector, Parking Meter Officers and the Bay Constable are hereby authorized to issue appearance tickets, as defined by Section 150.10 of the Criminal Procedure Law, for violations of those sections of the Town Code of the Town of Riverhead over which they have jurisdiction.

Dated: Riverhead, New York
April 18, 1989.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

290 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE RE:
A PROPOSED AMENDMENT TO LOCAL LAW NO. 2-1976, ENTITLED
"VEHICLES AND TRAFFIC"

Councilperson Boschetti offered the following
resolution, which was seconded by Councilperson Pike :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice with regard to a proposed local law amending Local Law No. 2-1976 entitled "Vehicles and Traffic":

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 2nd day of May, 1989, at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to a proposed local law amending Local Law No. 2-1976 entitled "Vehicles and Traffic" by adding subsection D. as follows:

Section 101-32. Enforcement; duties.

D. Parking Meter Officers of the Town of Riverhead shall be authorized to regulate, control and direct traffic when the need arises and/or when directed by Order of a Superior Officer of the Town of Riverhead Police Department.

Dated: Riverhead, New York
April 18, 1989.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

291 REJECTS DRAFT ENVIRONMENTAL IMPACT STATEMENT OF NORTH-
VILLE ENERGY CORPORATION (LONG LAKE COGENERATION PROJECT)

Councilperson Pike offered the following resolution, which was seconded by Councilperson Boschetti :

WHEREAS, a special permit application was filed on July 15, 1988, by Long Lake Co-Generation Corporation, 420 Lexington Avenue, Suite 540, New York, New York, 10170, for the development of a combustion turbine peaking project in the Industrial "B" Zoning Use District; and

WHEREAS, the Town Board of the Town of Riverhead declared itself lead agency by Resolution #561 adopted on September 6, 1988, in accordance with 6 NYCRR Part 617 of the State Environmental Quality Review Act (hereinafter referred to as "SEQRA"); and

WHEREAS, on September 16, 1988, the lead agency determined that the proposed action may have a significant effect upon the environment and that a Draft Environmental Impact Statement (hereinafter referred to as "DEIS") be prepared; and

WHEREAS, a DEIS was filed with the Town Clerk's Office on September 9, 1988, after a scoping hearing was held with Long Lake Energy Corporation and the Town of Riverhead; and

WHEREAS, after a review of the DEIS, the Town Board, by Resolution #698, rejected the DEIS and requested additional information regarding the cogeneration plant; and

WHEREAS, Long Lake, on January 17, 1989, filed with the Town Clerk a response to comments on the DEIS and a limited discussion on a cogeneration plant; and

WHEREAS, on January 3, 1989, the Town of Riverhead designated Enviro-Qual Associates, Inc., as consultants, to review the Long Lake DEIS due to the technical and complicated nature of the Long Lake application; and

WHEREAS, Long Lake was advised on February 7, 1989, that no further review of the DEIS would be entertained by the Town Board and its environmental consultants until a SEQRA fee was deposited with the Town of Riverhead for the actual costs of reviewing the DEIS; and

WHEREAS, since the submission of the response to comments on the DEIS of Long Lake, additional information has been presented to the Town Board that Long Lake intends to locate a cogeneration plant within the Town of Riverhead; and

WHEREAS, Long Lake, in their response to comments filed with the Town Clerk of January 17, 1989, failed to disclose the intentions to locate a cogeneration plant within the Town of Riverhead; and

WHEREAS, Long Lake has displayed a lack of commitment to the continued review of the DEIS by their failure to submit the review fee.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby rejects the DEIS of Northville Energy Corporation as insufficient; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Northville Energy Corporation, Enviro-Qual Associates, Inc., the Planning Department and the Town Attorney's Office.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

4#187²⁹³~~89~~ AUTHORIZES LEAVE OF ABSENCE OF GERALDINE STRICKLAND 471

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Lombardi.

WHEREAS, Geraldine Strickland did submit her written request for a leave of absence not to exceed a period from her position of Parking Meter Officer with the Riverhead Police Department; and

NOW, THEREFORE, BE IT RESOLVED, that a leave of absence for a period of not more than six months be and is hereby authorized to Geraldine Strickland for medical reasons effective March 26, 1989.

BE IT FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to Geraldine Strickland, Chief Grattan and the Office of Accounting.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

293 AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER
RE: AMBULANCE ELECTRICAL CONTRACT (#870618-1E)

Councilperson Lombardi offered the following resolution which was seconded by Councilperson Civiletti.

WHEREAS, the Riverhead Town Board previously authorized the Supervisor to execute a contract on behalf of the Town of Riverhead with Robert O'Brien Electrical Contractors; and

WHEREAS, the architect retained by the Town has submitted a change order with a recommendation of approval, copy attached.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute the attached change order; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Supervisor, Martin Sendlewski and Robert O'Brien Electrical Contractors.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

CHANGE

ORDER 8/89

AIA DOCUMENT G701

Distribution to:

OWNER ☐
ARCHITECT ☐
CONTRACTOR ☐
FIELD ☐
OTHER ☐

473

PROJECT: RIVERHEAD AMBULANCE GARAGE
(name, address) Osborne Avenue
Riverhead, N.Y. 11901

CHANGE ORDER NUMBER: 870618-1E

TO (Contractor);

INITIATION DATE: 3-27-89

ROBERT O'BRIEN
ELECTRICAL CONTRACTORS
21 North Ocean Avenue
Center Moriches, N.Y. 11934

ARCHITECT'S PROJECT NO: 870618

CONTRACT FOR:

Electrical construction

CONTRACT DATE: May 23, 1988

You are directed to make the following changes in this Contract:

1. Provide and install one Idaho #R296D light fixture and 14ft pole located at the northwest corner of property.

Deduct \$1,244.46

2. Provide and install 2 (two) additional light fixtures to match existing light fixtures in the basement storage room.

Deduct \$1,068.00

Total

\$2,312.46

Attached - O'Brien's proposal statements

Not valid until signed by both the Owner and Architect.

Signature of the Contractor indicates his agreement herewith, including any adjustment in the Contract Sum or Contract Time.

The original (Contract Sum) ~~(Contract Sum)~~ was \$19,674.00

Not change by previously authorized Change Orders \$ -0-

The (Contract Sum) ~~(Contract Sum)~~ prior to this Change Order was \$19,674.00

The (Contract Sum) ~~(Contract Sum)~~ will be (increased) (decreased) (unchanged) by this Change Order \$ 2,312.46

The new (Contract Sum) ~~(Contract Sum)~~ including this Change Order will be ... \$21,986.46

The Contract Time will be (increased) (decreased) (unchanged) by () Days.

The Date of Substantial Completion as of the date of this Change Order therefore is

MARTIN F. SENDLEWSKI

ARCHITECT
6 Rocky Point Road

Address

Middle Island, N.Y. 11953

ROBERT O'BRIEN

CONTRACTOR
21 North Ocean Avenue

Address

Center Moriches, N.Y.

Authorized:

TOWN OF RIVERHEAD

OWNER

200 Howell Avenue

Address

Riverhead, N.Y. 11901

BY

DATE

BY

DATE

BY

DATE

4/18/89

474

ROBERT OBRIEN ELECTRICAL CONTRACTORS INC.

21 North Ocean Ave.
CENTER MORICHES, L.I., NY 11934
(516) 878-2892

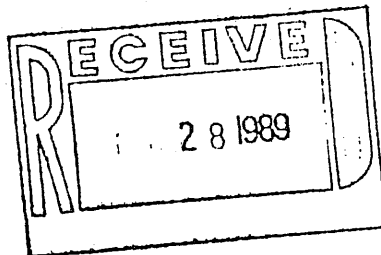
PROPOSAL SUBMITTED TO Town of Riverhead		PHONE 727-3200	DATE 3-27-89
STREET 200 Howell Ave.		JOB NAME Riverhead Ambulance Garage	
CITY, STATE AND ZIP CODE Riverhead, NY 11901		JOB LOCATION Osborne Ave. Riverhead, NY 11901	
ARCHITECT Martin F. Sendlewski	DATE OF PLANS 2-11-88	Project #870618	JOB PHONE

We hereby submit specifications and estimates for:

Additional equipment/Change order:

Provide and install one Idaho #R296D light fixture and 14ft pole for area lighting located at the north-west corner of property.

Total..... \$1244.46



We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Twelve hundred forty-four & 46¢ _____ dollars (\$ 1244.46).

Payment to be made as follows:

Pending installation and approved change order.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature Robert O'Brien, President

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____

4/18/89

Proposal

Page No.

of

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Pages

ROBERT OBRIEN ELECTRICAL CONTRACTORS INC.

21 North Ocean Ave.
CENTER MORICHES, L.I., NY 11934
(516) 878-2892

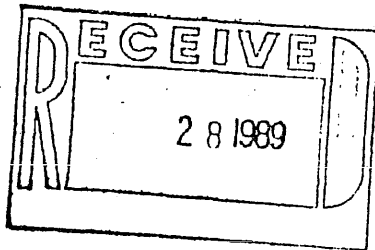
PROPOSAL SUBMITTED TO Town of Riverhead		PHONE 727-3200	DATE 3-27-89
STREET 200 Howell Ave.		JOB NAME Riverhead Ambulance Garage	
CITY, STATE AND ZIP CODE Riverhead, NY 11901		JOB LOCATION Osborne Ave., Riverhead, NY 11901	
ARCHITECT Martin F. Sendlewski	DATE OF PLANS 2-11-89	Project #870618	JOB PHONE

We hereby submit specifications and estimates for:

Additional equipment/Change order:

Provide and install two additional 2 light 40 recessed lights
in basement per request of Ambulance Co.

2 fixtures @ \$434.00 ea	\$868.00
Labor	200.00
	<u>\$1068.00</u>



We ~~Propose~~ hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

One thousand sixty-eight & 00¢

Payment to be made as follows: _____ dollars (\$ 1068.00).

Pending approval of change order

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control, Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature Robert O'Brien, President

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

294 AUTHORIZES ATTENDANCE OF POLICE OFFICERS AT SEMINAR

Councilperson Boschetti offered the following resolution which was seconded by Councilperson Pike.

WHEREAS, the Northeast Law Enforcement Officers Association will be sponsoring an "Underwater Investigation" seminar to be held at the Warwick Police Department in Warwick, Rhode Island on May 12-14, 1989; and

WHEREAS, it is the desire of Sergeant Thomas Lynch, Investigators Brian Keller, Dennis Fagan and Police Officer Joseph Loggia to attend said seminar; and

WHEREAS, it is the recommendation of the Superiors of the aforementioned Officers to attend said seminar.

NOW, THEREFORE, BE IT RESOLVED, that Sergeant Lynch, Investigators Keller, Fagan and Police Officer Loggia be and are hereby authorized to attend the "Underwater Investigation" seminar on May 12-14, 1989; and

BE IT FURTHER RESOLVED, that Sergeant Lynch, Investigators Keller, Fagan and Police Officer Loggia receive advance monies in the amount of \$500 for related expenses, said expenses to be fully receipted upon their return; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Sergeant Lynch, Investigators Keller, Fagan, Police Officer Loggia, Lt. Grattan and the Office of Accounting.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

295 AUTHORIZES ATTENDANCE OF POLICE OFFICER KURPETSKI AND
PUBLIC SAFETY DISPATCHER ZLATNISKI AT SEMINAR

Councilperson Boschetti offered the following
resolution which was seconded by Councilperson Pike.

WHEREAS, the New York State Police will be sponsoring a "NY
Statewide Police Information Advisory Meeting" to be held in
Albany, New York on May 11 & 12, 1989; and

WHEREAS, it is the desire of Police Officer John Kurpetski
and Public Safety Dispatcher Donald Zlatniski to attend said
meeting; and

WHEREAS, it is the recommendation of the Superiors of the
aforementioned Officers to attend said meeting.

NOW, THEREFORE, BE IT RESOLVED, that PO Kurpetski and PSD
Zlatniski be and are hereby authorized to attend the "NYSPIN"
meeting on May 11 & 12, 1989; and

BE IT FURTHER RESOLVED, that PO Kurpetski and PSD Zlatniski
receive advance monies in the amount of \$200 for related
expenses, said expenses to be fully receipted upon their return;
and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby
authorized to forward a certified copy of this resolution to
Police Officer Kurpetski and Public Safety Dispatcher Zlatniski,
Lt. Grattan and the Office of Accounting.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

4/18/89

296

478

AUTHORIZES THE SOLICITATION FOR BIDS FOR

PRODUCT #20 PREMIUM DIESEL FUEL

COUNCILMAN Pike offered the following resolution, which was
seconded by COUNCILMAN Boschetti.

RESOLVED, that the Town Clerk be and hereby is authorized to
advertise for sealed bids for the purchase of PRODUCT #20 PREMIUM DIESEL FUEL
for use by VARIOUS TOWN DEPARTMENTS, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized
to open and publicly read aloud said bids at 11:00 A.M. on
May 1 1989, at Town Hall, 200 Howell Ave., Riverhead
New York; and to make a report of said bids to the Town Board at the next
public meeting following the opening of the bids.

NOTICE TO BIDDERS ATTACHED

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of PRODUCT #20 PREMIUM DIESEL FUEL for the use by
VARIOUS TOWN DEPARTMENTS, will be received by the Town Clerk of the
Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until
11:00 a.m. on May 1, 1989.

Bid packets, including specifications, instructions and bid forms, may be
obtained at the Town Clerk's Office at Town Hall Monday through Friday between the
hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the
specifications must be listed on a separate sheet of paper bearing the designation
"EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any and all
bids if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation,

DIESEL FUEL BID.

DATED: _____

BY THE ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

4/18/89

480

297

AUTHORIZES THE SOLICITATION FOR BIDS FOR

#2 HEATING FUEL OIL

COUNCILMAN Pike offered the following resolution, which was
seconded by COUNCILMAN Boschetti.

RESOLVED, that the Town Clerk be and hereby is authorized to
advertise for sealed bids for the purchase of #2 HEATING FUEL OIL
for use by HIGHWAY DEPARTMENT/ OTHER INSTALLATIONS, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized
to open and publicly read aloud said bids at 11:05 A.M. on
May 1, 1989, at Town Hall, 200 Howell Ave., Riverhead
New York; and to make a report of said bids to the Town Board at the next
public meeting following the opening of the bids.

NOTICE TO BIDDERS ATTACHED

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

4/18/89

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TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of #2 HEATING FUEL OIL for the use by
HIGHWAY DEPARTMENT / OTHER INSTALLATIONS will be received by the Town Clerk of the
Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until
11:05 a.m. on May 1, 1989.

Bid packets, including specifications, instructions and bid forms, may be
obtained at the Town Clerk's Office at Town Hall Monday through Friday between the
hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the
specifications must be listed on a separate sheet of paper bearing the designation
"EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any and all
bids if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation,

#2 HEATING FUEL OIL.

DATED:

April 18, 1989.

BY THE ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

4/18/89

482

298

AUTHORIZES THE SOLICITATION FOR BIDS FOR

TOWABLE VIBRATORY ROLLER

COUNCILMAN Pike offered the following resolution, which was
seconded by COUNCILMAN Boschetti.

RESOLVED, that the Town Clerk be and hereby is authorized
to advertise for sealed bids for the purchase of TOWABLE VIBRATORY ROLLER
for use by RIVERHEAD WATER DISTRICT, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized
to open and publicly read aloud said bids at 11:10 A.M. on
May 4 1989, at Town Hall, 200 Howell Ave., Riverhead
New York; and to make a report of said bids to the Town Board at the next
public meeting following the opening of the bids.

NOTICE TO BIDDERS ATTACHED

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

4/18/89

483

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of TOWABLE VIBRATORY ROLLER for the use by

RIVERHEAD WATER DISTRICT, will be received by the Town Clerk of the
Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until
11:10 a.m. on May 1, 1989.

Bid packets, including specifications, instructions and bid forms, may be
obtained at the Town Clerk's Office at Town Hall Monday through Friday between the
hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the
specifications must be listed on a separate sheet of paper bearing the designation
"EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any and all
bids if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation,

TOWABLE VIBRATORY ROLLER.

DATED: _____

BY THE ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

4/18/89
299

484

AUTHORIZES THE SOLICITATION FOR BIDS FOR

HEAVY EQUIPMENT TIRES

COUNCILMAN Pike offered the following resolution, which was
seconded by COUNCILMAN Boschetti.

RESOLVED, that the Town Clerk be and hereby is authorized to
advertise for sealed bids for the purchase of HEAVY EQUIPMENT TIRES
for use by SANITATION DEPARTMENT, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized
to open and publicly read aloud said bids at 11:15 A.M. on
May 1 1989, at Town Hall, 200 Howell Ave., Riverhead
New York; and to make a report of said bids to the Town Board at the next
public meeting following the opening of the bids.

NOTICE TO BIDDERS ATTACHED

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of HEAVY EQUIPMENT TIRES for the use by
SANITATION DEPARTMENT, will be received by the Town Clerk of the
Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until
11:15 a.m. on May 1, 1989.

Bid packets, including specifications, instructions and bid forms, may be
obtained at the Town Clerk's Office at Town Hall Monday through Friday between the
hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the
specifications must be listed on a separate sheet of paper bearing the designation
"EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any and all
bids if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation,

HEAVY EQUIPMENT TIRES.

DATED: April 18, 1989.

BY THE ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

300

APPROVES REQUEST OF JAMESPORT FIRE DEPARTMENT TO HOLD ANNUAL BAZAAR

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi :

WHEREAS, the Jamesport Fire Department, by letter dated April 5, 1989, has made an application to hold a bazaar at the Jamesport Community Center from Tuesday, July 18, 1989, through Sunday, July 23, 1989; and

WHEREAS, the applicant is requesting exemption from Section 46-3 through 46-8 of the Riverhead Town Code entitled "Consumption in Public Places".

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby grants permission to the Jamesport Fire Department to hold its annual bazaar at the Jamesport Community Center from July 18, 1989, through July 23, 1989, pursuant to the Jamesport Fire Department's submitting proof of insurance in the amount of \$1,000,000.00 naming the Town of Riverhead as additional insured; and be it further

RESOLVED, that the applicant be and is hereby exempt from Section 46-3 through 46-8 of the Riverhead Town Code; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Jamesport Fire Department, the Riverhead Town Police and the Riverhead Fire Department.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

301 PLACES JEAN MILOSKI ON ACTIVE STATUS AS SENIOR ACCOUNT CLERK TYPIST

Councilperson Lombardi offered the following resolution which was seconded by Councilperson Civiletti.

WHEREAS, by resolution #572 of this Town Board, Jean Miloski was granted a six-month maternity leave of absence; and

WHEREAS, by resolution #200 of this Town Board the six-month maternity leave of absence of Jean Miloski from her position of Senior Account Clerk Typist was extended for an additional six-month period; and

WHEREAS, it is the desire of Jean Miloski to return to her position of Senior Account Clerk Typist.

NOW, THEREFORE, BE IT RESOLVED, that Jean Miloski be and is hereby returned to active status in her position of Senior Account Clerk Typist effective April 13, 1989; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Jean Miloski and the Office of Accounting.

The vote, Boschetti, no, Pike, yes, Civiletti, yes, Lombardi, no, Janoski, yes.

The resolution was thereupon duly declared adopted.

302 APPOINTS THADDEUS KRUKOSKI AS 90-DAY TEMPORARY
SANITATION SUPERVISOR

Councilperson Boschetti offered the following
resolution which was seconded by Councilperson Pike.

WHEREAS, Thaddeus Krokoski did retire from his position of
Sanitation Superintendent on March 31, 1989; and

WHEREAS, it is beneficial to utilize the services of
Thaddeus Krukoski during this transition period of a newly
appointed Sanitation Supervisor.

NOW, THEREFORE, BE IT RESOLVED, that Thaddeus Krukoski be
and is hereby appointed as 90-day temporary Sanitation Supervisor
effective April 1, 1989 at the hourly rate of compensation of
\$18.00; and

BE IT FURTHER RESOLVED, that a copy of this resolution be
forwarded to Thaddeus Krukoski and the Office of Accounting.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

303 RECLASSIFIES POSITION OF VICTORIA MARTIN TO PROVISIONAL
PRINCIPAL ASSESSMENT CLERK

Councilperson Pike offered the following
resolution which was seconded by Councilperson Boschetti.

WHEREAS, the approval of Victoria Martin for
reclassification was submitted to Civil Service for informal
review; and

WHEREAS, Civil Service has approved her application for the
title of Principal Assessment Clerk.

NOW, THEREFORE, BE IT RESOLVED, that Victoria Martin be and
is hereby appointed to the position of provisional Principal
Assessment Clerk at the annual rate of compensation of \$23,095.51
as set forth in Group 2, Step 10 of the Administrative Salary
Schedule effective April 17, 1989; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby
authorized to forward a certified copy of this resolution to
Leroy Barnes, Jr., Victoria Martin and the Office of Accounting.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared TABLED.

304 APPROVES REQUEST OF RIVERHEAD FIRE DEPARTMENT TO HOLD
SECOND CELEBRATION DRILL

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, the Riverhead Fire Department, by letter dated March 3, 1989, has made a request to hold a "Second Celebration Drill" on Sunday, April 23, 1989; and

WHEREAS, the Riverhead Fire Department has requested to use the Hamilton Avenue Parking lot across from Fire Station #1; and

WHEREAS, a request was made to temporarily shut down normal flow of traffic on Hamilton Avenue from Pulaski Street to Parkway Street for approximately one-half hour; and

WHEREAS, the applicant is requesting exemption from Section 46 of the Riverhead Town Code entitled "Consumption in Public Places".

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby grants permission to the Riverhead Fire Department to hold a "Second Celebration Drill" on Sunday, April 23, 1989, and to use the Hamilton Avenue Parking Lot across from Fire Station #1 subject to the Riverhead Fire Department's submitting proof of insurance in the amount of \$1,000,000.00 naming the Town of Riverhead as additional insured; and be it further

RESOLVED, that the applicant be and is hereby exempt from Section 46 of the Riverhead Town Code; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Fire Department and the Riverhead Town Police.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

305 AMENDS SECTION 108-142, 144, and 145 OF THE RIVERHEAD TOWN CODE
(OFFICE SERVICE ZONE DIMENSIONAL REQUIREMENTS)

Councilperson Lombardi offered the following
resolution, which was seconded by Councilperson Civiletti.

WHEREAS, the Riverhead Town board has recommended certain
dimensional amendments to Section 108-142, 144, and 145 of the Riverhead
Town Code, and

WHEREAS, the Riverhead Planning Department has completed an
Environmental Assessment Form respecting the contemplated amendments;
such Environmental Assessment Form not identifying any significant
environmental impacts, and

WHEREAS, the Riverhead Town Board has resolved to issue a
Notice of Non-significance on these amendments, and

WHEREAS, a public hearing for the consideration of the
aforesaid amendments was held on February 23, 1989, with the Town Board
considering all commentary, and

WHEREAS, the Riverhead Planning Board has recommended that the
Town Board approve proposed dimensional changes to Section 108-142; 144;
145, and

WHEREAS, the proposed amendment was forwarded to the Suffolk
County Planning Commission for its consideration and action; such
amendment being sent back for local determination;

NOW THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board amends Section 108-
142, 144, and 145 of the Riverhead Town Code to read as described in the
attached notice,

AND BE IT FURTHER

RESOLVED, that said amendment and change shall take effect
immediately;

AND BE IT FURTHER

RESOLVED, that the Town Clerk publish and post such amendments
as required by Town Law.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

108-142. Purpose

The purpose of this Article is to provide opportunity for the location of business and professional office, research facilities, institutional uses and similar activities in a well-planned, open setting in areas which are not necessarily appropriate for commercial or industrial activity or low-density residential development. In this area, such uses can be established in an attractive environment and serve both as a means of preserving the open qualities of an area and as a transition between more intense and less intense uses.

108-144. General lot, yard and height requirements.

~~E. The minimum distance from detached accessory buildings or off-street parking areas to the following parameters shall be as follows:~~

- ~~(1) Principal building: twenty-five (25) feet.~~
- ~~(2) Side lot line: fifty (50) feet.~~
- ~~(3) Rear lot line: fifty (50) feet.~~

E. The maximum height, ~~unless otherwise specified,~~ shall be ~~two (2) stories, or thirty-five (35) feet.~~

F. A nonconforming lot separately owned and not adjoining any lot or land in the same ownership at the effective date of the creation of the Office/Service Zoning Use District and not adjoining any lot or land in the same ownership at any time subsequent to such date may be used, or a building or structure may be erected on such lot for use in accordance with all the other applicable provisions of the zoning ordinance, provided that proof of such separate ownership is submitted in the form of an abstract of title showing the changes of title to said lot, which abstract shall be in the usual form, shall be certified by an attorney or a company regularly doing such work in Suffolk County or by a corporation duly licensed to examine and insure title or real property in Suffolk County and shall contain a certification that no contiguous property was owned by an owner of the property involved since the date of the previously applicable zoning ordinance. Such lot shall be granted relief for side and rear yard dimensions as follows:

- (1). The total dimensions of both side yards for a principal building shall be computed on the basis of four-tenths (0.4) of the lot width; however, no side yard dimension shall be less than four-tenths (0.4) of the total dimensions of both side yards computed as aforesaid, and no side yard dimension shall be less than ten (10) feet.
- (2). The total rear yard dimension for a principal building shall be computed on the basis of three-tenths (0.3) of the lot depth; however, no dimension for the rear yard of the principal building shall be less than thirty (30) feet.

108-145. Special requirements.

A. Off-street parking.

- (1) Required parking for all principal and accessory uses shall be computed on the Town of Riverhead Parking Schedule except as follows:

Use	Minimum Number of Parking Spaces
Nonmedical offices	1 per 300 square feet of net leasable area <u>1 per 200 square feet of net leasable area</u>
Retail and service use	1 per 250 square feet of net leasable area <u>1 per 200 square feet of net leasable area</u>

306 ACCEPTS DRAFT ENVIRONMENTAL IMPACT STATEMENT OF CASILEN ASSOCIATES

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike.

WHEREAS, the Riverhead Town Board is in receipt of a petition from Casilen Associates for a change of zone from Agriculture A and Business B to Residence C, such petition associated with a parcel located on the southwest corner of Middle Road and Osborn Avenue (Suffolk County Tax Map No. 101-2-6.1), and

WHEREAS, the Riverhead Planning Department has reviewed the Environmental Assessment Form associated with the subject petition and has identified certain significant environmental impacts; recommending to the Town Board that a Notice of Environmental Significance be published, and

WHEREAS, the Riverhead Town Board has declared itself to be the Lead Agency in the matter of Casilen Associates petition for change of zone, and

WHEREAS, the Riverhead Town board has published a Notice of Environmental Significance as required by 6 NYCRR 617 and has required the preparation of an Environmental Impact Statement, and

WHEREAS, a scoping hearing was held by the Lead Agency with the Planning Department informing the applicant of those issues to be addressed in the Environmental Impact Statement, and

WHEREAS, the applicant has submitted a Draft Environmental Impact Statement which has been reviewed by the Planning Department, and

WHEREAS, the Draft Environmental Impact Statement addressed those environmental impacts as generally required by law and specifically required by the Lead Agency, and

WHEREAS, the Planning Department has recommended that the Town Board accept the draft Environmental Impact Statement from Casilen Associates as adequate for review;

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board accept the Draft Environmental Impact Statement of Casilen Associates as adequate for dissemination to parties of interest and for Lead Agency review, and

BE IT FURTHER RESOLVED, that the Town Clerk send a certified copy of this resolution to the applicant.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

307 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED
AD RE: COMPUTER GRAPHICS MAPPING SPECIALISTS

Councilperson Pike offered the following
resolution which was seconded by Councilperson Boschetti.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Help Wanted Ad as a Display Ad in the April 20, 1989 issue of The News Review and the April 26, 1989 issue of Suffolk Life Newspapers:

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead, is seeking an individual for the position of Computer Graphics Mapping Specialist. Applicants must possess three years of drafting experience of which two years are in computer operated map drafting. Interested individuals must submit an application to the Accounting Department, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications will be accepted for this position after May 5, 1989. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age or handicapped status in employment or the provision of service.

BY ORDER TO THE RIVERHEAD TOWN BOARD
Irene J. Pendzick, Town Clerk

Dated: April 18, 1989
Riverhead, NY

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#308 AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE ⁴⁹⁶RE:
AMENDMENT TO SECTION 103-11 OF THE RIVERHEAD TOWN CODE

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Lombardi:

WHEREAS, the Town of Riverhead wishes to encourage immediate cleanup of certain properties owned by the State and County; and

WHEREAS, certain fund-raising and community events are conducted on weekends which require deposit of refuse and waste into the Riverhead landfill; and

WHEREAS, the Riverhead landfill remains open on weekends without scale operators; and

WHEREAS, certain properties, including but not limited to the 4-H camp, Boy Scout and Girl Scout camps and County parks, conduct events which require immediate cleanup on weekends in order to prevent a health hazard due to the accumulation of solid waste.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice with regard to amending Section 103-11 of the Riverhead Town Code:

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 2nd day of May, 1989, at 8:00 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending Section 103-11 of the Riverhead Town Code as follows:

103-11. User fees.

C. In order to prevent a health hazard created by weekend accumulation of solid waste at certain properties within the Town of Riverhead, the Riverhead Landfill, upon approval of the Riverhead Town Board, may accept solid waste on Saturdays and Sundays at a fee of six dollars and fifty cents (\$6.50) per cubic yard. A list of properties which are permitted to deposit solid waste in accordance with the provisions of this section shall be filed with the Town Clerk.

Dated: Riverhead, New York
 April 18, 1989.

BY ORDER OF THE TOWN BOARD
 OF THE TOWN OF RIVERHEAD

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
 Lombardi, yes, Janoski, yes.

309 APPOINTS SCHOOL CROSSING GUARD

Councilperson Lombardi offered the following resolution which was seconded by Councilperson Civiletti.

RESOLVED, that Suzanne Andrejack be and is hereby appointed to serve as a School Crossing Guard effective April 24, 1989 at the hourly rate of compensation of \$6.40; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Suzanne Andrejack, Chief Grattan and the Office of Accounting.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

310 AUTHORIZES PAYMENT OF DEDUCTIBLE (PORTION PROPERTIES)

Councilperson Boschetti offered the following resolution, which was seconded by Councilperson Pike:

WHEREAS, a lawsuit was commenced by Portion Properties against the Town of Riverhead, which is being defended by the law firm of Thurm & Heller under a certain insurance policy; and

WHEREAS, said insurance policy carries a \$5,000.00 deductible, which is required to be reimbursed to the insurance carrier.

NOW, THEREFORE, BE IT

RESOLVED, that the deductible of \$5,000.00 be and is hereby authorized to be reimbursed to the National Casualty Company; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the National Casualty Company, Thurm & Heller and the Town Attorney's Office.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

311 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF
COMPLETE APPLICATION RE: DREDGING OF WADING RIVER CREEK

Councilperson Pike offered the following
resolution which was seconded by Councilperson Boschetti.

WHEREAS, the Town Board of the Town of Riverhead has made
application to the NYS DEC for permit to dredge the Wading River
Creek; and

WHEREAS, the NYS DEC has supplied the Town of Riverhead with
Notice of Complete Application which must be published in a local
publication.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and
is hereby authorized to publish and post the attached "Notice of
Complete Application" in the April 19, 1989 issue of the Wading
River Community Journal; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby
directed to forward a certified copy of this resolution to Aldo
Marletti, P.E. of Cashin Associates, and Christine Costapoulos,
Deputy Regional Permit Administrator of NYS DEC.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

4/18/89

500

44-12-4 (11/86)-27a



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

NOTICE OF COMPLETE APPLICATION

Applicant: Town of Riverhead Date: 4/17/89
Address: 200 Howell Avenue
Riverhead, NY 11901-2596

Permits applied for and application numbers Tidal Wetlands, Protection of Waters, Water
Quality Cert. 10-89-0589

Project description and location. Town/City of Riverhead County of Suffolk

The applicant proposes to undertake annual maintenance dredging of the mouth of Wading River Creek to 3 feet below mean low water. Approximately 4500 cubic yards of clean sand will be dredged yearly and placed on the adjacent beach to the east above mean high water.

Project is located in the Village of Wading River.

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) DETERMINATION: (Check appropriate box)

- ☐ SEQR-1 Project is not subject to SEQR because it is an exempt, excluded or a Type II action.
☐ SEQR-2 Project is a Type I action and will not have a significant effect on the environment. A Negative Declaration is on file and a coordinated review with other agencies performed.
☒ SEQR-3 Project is an unlisted action and will not have a significant effect on the environment, a Negative Declaration is on file.
☐ A-coordinated review performed ☒ no coordinated review performed.
☐ SEQR-4 A draft environmental impact statement has been prepared on this project and is on file.
☐ SEQR-5 A final environmental impact statement has been prepared on this project and is on file.

SEQR LEAD AGENCY None designated

STATE HISTORIC PRESERVATION ACT (SHPA) DETERMINATION: (Check appropriate box)

- ☐ SHPA-1 Project is not subject to SHPA: ☐ A-exempt permit type ☐ B-federal review performed.
☒ SHPA-2 Project will not have an adverse impact and an assessment is on file.
☐ SHPA-3 A cultural resources survey has been prepared on this project and is on file.

AVAILABILITY FOR PUBLIC COMMENT:

Applications may be reviewed at the address to the right. Comments on the project must be submitted to the Contact Person by no later than:

CONTACT PERSON:

Christine J. Costopoulos
Bldg. 40, SUNY, RM. 219
Stony Brook, NY 11794
(516) 751-7900

May 5, 1989

TO THE APPLICANT:

1. THIS IS NOT A PERMIT

- 2 This is to advise you that your application is complete and a review has commenced. Additional information may be requested from you at a future date, if deemed necessary, in order to reach a decision on your application.
- 3 Your project is classified MAJOR. Accordingly, a decision will be made within 90 days of the date of this Notice. If a public hearing is necessary, you will be notified within 60 days and the hearing will commence within 90 days of the date of this notice. If a hearing is held, the final decision will be made within 60 days after the hearing is completed.
- 4 Publication of this Notice in a newspaper is: ☒ required ☐ not required
If required, please consult the accompanying transmittal letter for further instructions.

TOWN OF RIVERHEAD

RESOLUTION 312

CONDITIONALLY APPROVES SPECIAL PERMIT OF WILLIAM HUBBARD

Adopted: April 18, 1989

Councilwoman Civiletti offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, by an application verified January 20, 1987, William Hubbard did apply for a special permit for the construction of 380 clustered residential units with accessory recreational buildings and amenities on 78.356 acres located west of County Road 105, Riverhead, more specifically described in Exhibit "A" attached hereto, know as Suffolk County Tax Map No. 0600-112-01-06.1, and

WHEREAS, the Town Board has, by resolution declared itself "Lead Agency" for the purpose of requirements of the New York State Environmental Quality Review Act; and

WHEREAS, based upon a review of the Environmental Assessment Form, the Town Board determined (2/1/87) that the application was a Type I Action requiring an Environmental Impact Statement; and

WHEREAS, pursuant to public notice a hearing was held before this Town Board on April 21, 1987, to determine the scope of the Draft Environmental Impact Statement, and

WHEREAS, the applicant did file (1/5/88) with this Town Board a Draft Environmental Impact Statement which was accepted by this Board by resolution and was the subject of a public hearing before this Board, and

WHEREAS, this Board did accept the Final Environmental Impact Statement on this action on October 4, 1988 and did approve the

"Findings Statement" on December 20, 1988, and

WHEREAS, the Planning Board did render its recommendation for the Special Permit by resolution of February 17, 1989, and has recommended to the Riverhead Town Board that the special permit use is an appropriate use preferable to other identified uses, however, it did not recommended a yield (the exact number of units to be determined upon the submission and approval of a detailed site plan and condominium map), and

WHEREAS, the Suffolk County Planning Commission by resolution on March 1, 1989, resolved to disapprove the application, and

WHEREAS, pursuant to public notice, a public hearing was held before this Board on November 15, 1988 to hear all persons interested in the petition and said persons were heard, and

WHEREAS, the members of the Town Board individually and collectively have reviewed all matters, materials, testimony, etc. together with their personal knowledge of the site and surrounding properties in voting hereon.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does make the following findings:

STATUTORY FINDINGS

FIRST: The Riverhead Town Board pursuant to the State Environmental Quality Review Act made the following findings:

- (i) The Draft Environmental Impact Statement addressed each of the major environmental issues and impacts and adequately discussed mitigation measures to minimize impacts on existing wetlands, impacts to groundwater, impacts upon County Route 105 respecting vehicular traffic, surface water quality, stormwater drainage, impacts upon flora and fauna, economic impacts and impacts upon utilities and community services;

(ii) The Final Environmental Impact Statement has addressed all comments made by parties of interest specifically:

(1) That an archaeological investigation report commissioned by the applicant revealed that no physical evidence of prehistoric occupation was found in either field testing or literature search;

(2) That an investigation into the existence of flora and fauna commissioned by the applicant did not reveal the existence of either any rare, endangered or threatened species or any habitat which might support such species;

(3) That an engineered wastewater disposal system relying upon hookup to the Riverhead Sewer District will be submitted to the Riverhead Sewer District subsequent to the granting of a special permit. In the event that the Sewer District is unable to approve the petition due to insufficient capacity, the applicant would be required to detail the construction of an on-site sewage treatment as part of site plan review. The on-site wastewater treatment plan will require the approval of the Suffolk County Department of Health Services;

(4) That in order to gain site plan approval of the Riverhead Town Board and condominium map approval of the Riverhead Planning Board, the applicant shall be required to submit to the identified Boards and engineered site plan which shall depict those improvements as required by Section 108-31.1 and Article XXVI as well as the following:

- (a) All freshwater wetland boundaries as determined by the New York State Department of Environmental Conservation through site investigation;
- (b) A delineation of a 100 ft. setback of all ~~land~~ surfaces from the wetland edge with a conservation easement restricting disturbance;
- (c) A delineation of an open space area, controlled by a conservation easement, located along the boundary with Suffolk County parkland and County Route 105;
- (d) A delineation of the stormwater management system details, storage capacity analysis, planting and maintenance schedules, and impacts upon existing wetlands;
- (e) A delineation of a bus stop along County Route 105 for use by Suffolk County Feeder B u s ,

Jitney Bus, and Riverhead School District Bus, such bus stop to allow uninterrupted traffic flow on Route 105;

- (f) A landscaping plan showing all vegetation by species and all lawn areas;
- (g) A delineation of the access driveway as an extension of the existing roadway on Suffolk County parkland with construction and signage details on the roadway extension.
- (h) In the event that access from Suffolk County parkland cannot be secured, a delineation of an access point on Route 105 with a closing of the existing median to allow only right turn ingress and right turn egress;
- (i) A statement as to off-site improvements to the responsibility of the developer, i.e.,
 - 1. The restriping of Route 25 to provide for a westbound to southbound left turn land;
 - 2. The closing of the existing median opening on Route 105 to northbound to westbound left hand turns...."

SECOND: The Riverhead Planning Board pursuant to the Special Permit provisions of the Riverhead Code (Chapter 108) and the Town Law made the following findings by resolution:

"THEREFORE, BE IT RESOLVED, that the Riverhead Planning Board, after careful review and consideration of all documents relating to the William Hubbard special permit petition, would recommend that a condominium (multi-family residential) use is an appropriate use for the subject land and preferable to other identified uses and

subdivision at a yield of one (1) unit per 20,000 sq. ft., and

BE IT FURTHER RESOLVED, that the conclusion of the Planning Board stems from a recognition that the subject property holds certain qualities which would support multi-family development. These include:

- (i) Inclusion in a zoning district which provides for the use;
- (ii) Proximity to the Riverhead Sewer District;
- (iii) Proximity to major collector roadways;
- (iv) Inclusion within the Riverhead Water District;
- (v) Inclusion within the Riverhead Hamlet;
- (vi) Proximity to existing residential development;
- (vii) The existence of natural features (freshwater wetlands, common boundary with Suffolk County parkland) which would be best protected through multi-family condominium development;
- (viii) The existence of disturbed areas which would be redeveloped via condominium construction, and

BE IT FURTHER RESOLVED, that the Riverhead Planning Board is aware that the residential unit yield identified within the subject petition is an expression of the maximum yield allowed under the Business A Zoning Use District and that since this Board does not hold an engineered site plan with depicts those mitigation measures identified within the aforementioned Finding Statement as well as requirements of the Business A Zoning Use District, no recommended yield will come from this Board until such site plan and condominium map is forthcoming, and ..."

THIRD: The Suffolk County Planning Commission pursuant to the Suffolk County Charter made the following Findings by resolution:

- "
1. The contemplated density of development is excessive;
 2. The density of development exceeds requirements set forth in the zoning ordinance particularly if only upland areas are considered;
 3. It is inconsistent with the Long Island Regional Element of the New York State Coastal Zone Management Plan which designates premises for residence development not exceeding four (4) dwellings units/acre; and,

4. Premises can be reasonably development at a diminished density of development.
5. This commission would like to see twenty (20) per cent affordable housing..."

FINDINGS

FIRST: This Town Board adopts and reaffirms its findings in the "Findings Statement" (12/20/88) and the findings of the Riverhead planning board (2/16/89) as part of this Special Permit resolution.

SECOND: The site is properly zoned (business A-Resort Business) for the proposed use. The site is such a size and location that the proposed use can physically be constructed thereon while mitigating any adverse environmental impacts. The site has been zoned for the proposed use for at least ten (10) years without objection or proposed change or offers of acquisition by public entities.

THIRD: The proposed use will be designed for and marketed to a second home owner. The design shall include the recreational amenities shown on the conceptual site plan including a health club, tennis court, fitness track and indoor pool. Conditions will be imposed upon this special use permit which will enhance the use as a second home location.

FOURTH: The number of units that may be built on the site is governed by Section 108-29 of the Riverhead Code. No particular number of units is specified. Eight hundred (800) square feet of floor area may be built for each eight thousand (8000) square feet of lot area. The site contains 3,413,361 square feet of lot area.

The maximum building floor area permitted on this site is 341,336 square feet. The number of units will be determined pursuant to further resolutions of this Board and the Planning Board pursuant to Section 108-31.1, Article XXVI and the procedure for Planning Board approval. For instance: The club house/health club and indoor pool have 17,400 square feet of floor area. The gate house is 350 square feet. These non-residential structures total 17,750 square feet leaving 323,586 square feet of residential floor area. Therefore, assuming 2,000 square foot units, it would be possible to site 161± units on the property. Assuming units with an average square footage of 900 square feet, the site would yield 359± units.

FIFTH: There is a community need for the proposed mid range attached housing and public recreational facilities which can be developed on the site. Staging of the construction as proposed will match the construction to the need. The projected three to five year development plan is reasonable. Staging can be insured through the Planning Board approval process.

SIXTH: The site is outside the boundaries of the Riverhead Water District, however, the site can be practically and at no cost to the Riverhead Water District included in the District. The Water District has sufficient capacity to serve the proposed use.

SEVENTH: The site is outside the boundaries of the Riverhead Sewer District. Currently, the Riverhead Sewer District has been ordered by the NYSDEC not to extend the Sewer District or to

authorize new hook-ups without permission of the NYSDEC. A dispute exists between the Town of Riverhead and the NYSDEC as to the total operating capacity of the existing Riverhead Sewage Treatment Plant in relation to new users. As a result thereof, it cannot be found that the existing Sewage Treatment Plant can accommodate the proposed use.

The site abuts the Riverhead Sewer District Sewage Treatment Plant. The location, topography and soils on the site indicate that an internal collection system and transmission system can be designed to hook up the proposed use to the Sewage Treatment Plant. It is possible that modifications of the existing plant and expansion thereof by capital construction could result in sufficient capacity in the sewage treatment plant to serve the proposed use. As a condition of the extension of the Sewer District (a no-cost extension) and hook up, the owner would be required to pay his proportional share of the upgrading and expansion of the sewage treatment plant. Those funds from the owner would have a substantial beneficial impact on the taxpayers within the Riverhead Sewer District.

Staging of construction will have a mitigating effect upon the costs and environmental impacts attendant to expansion of the District and plant. Flows from the site will not occur for at least one year. Such flows, if permitted, will be limited to the first section to be developed (say no more than 150 units). Such flows if permitted will start low and progress as units are sold. Further initial construction and occupancy of units can be served

by a communal septic system which can be abandoned when access to the Riverhead Sewer System will be available. Capital contributions from the owner can be obtained in advance of the construction of improvements to the sewer plant.

This Board hereby finds that by reason of the above,

(i) the Riverhead Sewer District and Treatment Plant can be expanded to accept sewerage from this use,

(ii) the capital contributions to be made by the owner as a condition of inclusion within the Sewer District are cost effective to both the owner and the Sewer District, and

(iii) inclusion of this use and land within the Sewer District is preferable to on-site treatment.

EIGHTH: In the event that the site cannot be served by the Riverhead Sewer District, the proposed use can be served by a communal on-site sewage treatment plant.

NINTH: The site is within the "Riverhead Hamlet" which has been designated as the area in which housing of a higher density per acre is permitted.

TENTH: The proposed residential use can be structured through the site plan and Planning Board approval process to limit the number of bedrooms and thereby the number of residents such that the demand for school district services are mitigated. The site design and amenities of the use and their proximity to Indian Island Park and the County golf course have been structured such that the residential units can be marketed to the second home market (a "Resort Business") thereby further mitigating the potential impact on schools.

ELEVENTH: The impacts on real property taxes for maintenance

of interior roads and drainage is minimized by their remaining in private ownership. The tax impacts for police services are mitigated by the provision for private security on site.

TWELFTH: The site layout and design may result in the siting of the allowable improvements on site while preserving the wetlands thereon as open space.

THIRTEENTH: The vehicular traffic anticipated by the proposed use can be accommodated by County Road 105.

FOURTEENTH: The proposed use of the site is preferred to permitted or potential residential subdivision uses of the site in terms of real property tax revenues vs. tax burdens and traffic. Each alternative or permitted use would generate more school children, vehicular trips per day, demands for highway maintenance and police services and less real property tax revenues.

FIFTEENTH: The proposed use is not located unreasonably near a church, school, theater, recreational area or other place of public assembly.

SIXTEENTH: The proposed use is well situated in that it is within the "Hamlet" and has reasonable access to emergency facilities, public utilities, shopping, recreational facilities and other necessary services.

SEVENTEENTH: The proposed use is readily served by police, fire and ambulance services.

EIGHTEENTH: The proposed use will not result in any type of environmental pollution such as noise, light, vibration, odors, etc.

NINETEENTH: The exact design site plan and layout of the proposed use must be further defined consistent with the environmental constraints of the site by the Planning Board and Town Board as part of the process outlined in Section 108-31.1, Article XXVI and the Planning Board approval process.

NOW, THEREFORE, this Town Board does make the following determinations and recommendations:

DETERMINATIONS

FIRST: The maximum total building area (including residential and commercial structures) permitted on the site is 341,336 square feet. No determination of the total number of residential units permitted on the site is made by this resolution. The total number of residential units, their size, all other attendant details shall be determined by resolutions of the Town Board and Planning Board pursuant to the procedures called out by Sections 108-31.1 and Article XXVI of Chapter 108 of the Code of the Town of Riverhead and the rules of the Riverhead Planning Board.

SECOND: This Board determines not to follow the recommendations of the Suffolk County Planning Commission on the basis that the considerations called out by the Planning Commission are premature at this stage of the application. The number of units to be approved on the site is yet to be decided. When and if the number of units permitted is decided, that decision will be referred to the Planning Commission as is

required by applicable state laws. That referral will also include any reference to "affordable housing" if the same becomes a consideration in the further approvals of this use.

THIRD: The granting of the Special Permit and use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood.

FOURTH: The hazards or disadvantage to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained by the neighborhood and the Town.

FIFTH: The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by this special permit.

SIXTH: The special permitted use will be in harmony with and promote the general purposes and intent of Chapter 108.

RECOMMENDATIONS

FIRST: The marketing of sales of the residential units shall be focused at the second home recreational buyer.

SECOND: In the further consideration of this matter in site plan review and approval by the Planning Board, the existing structures should be demolished at such time as construction is commenced and the first structures to be constructed should be sited within the same building envelope as exists for the structures currently existing on the site.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the of WILLIAM HUBBARD to construct and use clustered residential housing units

with accessory recreational buildings and amenities consisting of 341,336 square feet of building area as conceptually shown on the site plan of H2M Group submitted at the public hearing on November 15, 1988 is granted subject to the following conditions:

1. The applicant shall submit detailed site plan as is required by Article XXVI and Section 108-31.1 of the Code of the Town of Riverhead.
2. That the applicant must demonstrate, through a detailed site plan, the ability to physically construction 341,336 square feet of building area upon the property while maintaining the protection of those natural features identified as existing on the site by the final environmental impact statement.
3. This permit is subject to and conditional upon the inclusion of the applicant's property in the Riverhead Sewer District and connection to Riverhead Water District. This condition shall be subject to the provisions of the Town Law relating to the inclusion of the subject property into the Sewer District and Water District. This condition shall be further subject to amendment or revision in the event that the inclusion of the subject property into the Sewer District or the Water District is impossible as a matter of law or fact.
4. The special permitted use is limited to a maximum of 341,336 square feet of building area as presented by the applicant and depicted on the proposed site layout as the same may be modified by further resolution of the Town Board and/or the Planning Board.
5. This approval is subject to approval by the Health Department of the County of Suffolk and subject to the preparation by the applicant of a condominium map (or a homeowners association plan) in a form in accord with the regulations of the Suffolk County Planning Commission and Riverhead Town Planning Board and the approval upon recommendation of the Suffolk County Planning Commission by the Riverhead Planning Board, pursuant to Section 108-31.1 of the Code of the Town of Riverhead and other applicable laws, rules, etc..
6. This permit is subject to posting of bonds, and/or the payment of any fees as required by he Riverhead Town Code upon final map approval.
7. The applicant shall execute and cause to be recorded

with the Suffolk County Clerk such restrictive covenants, running with the land, as required by the Town Board and/or Planning Board to carry out the intent of this resolution and to comply with the further applicable provisions of the Riverhead Town Code.

8. As conditions of the Resort Business use of this Special Permit shall be subject to the following:

- a) The development of the site shall be in stages. There shall be three stages. One third of the total number of residential units shall be permitted in each stage. Sixty percent of the first stage shall be sold or under contract before the next stage shall be issued building permits. Sixty percent of the second stage shall be sold or under contract before the last stage shall be issued building permits.
- b) Each stage of development shall constitute a "section" pursuant to the subdivision regulations. Each stage (section) shall be a separate condominium or homeowners association.
- c) The recreational improvements shall include:
 - i) A public health club and indoor pool
 - ii) Tennis courts
 - iii) A fitness track
- d) The recreational improvements shall be constructed at the same time as the first stage residential development.
- e) The recreational improvements may be in a separate ownership entity than the residential improvements. The recreational improvements shall be open to membership for a fee to the general public. Owners of residential units shall be given rights in the recreational facilities as part of their offering plans. This condition shall be enforced by an appropriate covenant and restriction attaching to the recreational facilities and prior approval of the Town Board of the offering statements before submission to the Attorney General.

4/18/89^f) No unit as approved pursuant to the further resolution of this Board or Planning Board shall at any future date be expanded beyond the square footage approved.

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- g) Only one and two bedroom units shall be permitted on the site. No residential unit shall be less than 900 square feet of floor area.

9. At such time as the Planning Board adopts a resolution approving a "sketch plan" for this use, that sketch plan shall be referred to the Town Board and shall be subject to approval by the Town Board by resolution. At such time as the "sketch plan" is approved by the Town Board and Planning Board, the owner is hereby required to submit to the Town Board and Planning Board for approval typical engineering details for road profiles and drainage.

10. All on site storm water run-off shall be recharged on site.

and, be it further

RESOLVED, that no units shall be sold, except upon a prospectus for a condominium offering (or HOA) as shall be previously authorized for distribution by the Attorney General of the State of New York, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Allen M. Smith, Esq., attorney for the applicants, the Planning Board and The Riverhead Building Department and that she further shall publish and post public notice of this resolution.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Rider* which may be used with Standard NYDTU Form 8041, rev. 11/78

SCHEDULE A

BEGINNING at a point on the south side of land of the Long Island Railroad on the northeast corner of premises herein described and the northwest corner of land of the County of Suffolk;

running thence along land of the County of Suffolk the following twelve course and distances:

1. South 25° 02' 40" East, 470.81 feet;
2. South 20° 35' 20" East, 152.61 feet;
3. South 28° 26' 40" East, 176.17 feet;
4. South 25° 28' 20" East, 151.00 feet;
5. South 34° 33' 40" East, 79.57 feet;
6. South 23° 40' 30" East, 54.58 feet;
7. South 28° 20' 20" East, 72.34 feet;
8. South 27° 12' 20" East, 47.02 feet;
9. South 25° 45' 40" West, 38.00 feet;
10. South 24° 35' 30" East, 152.14 feet;
11. North 84° 16' 30" East, 212.70 feet;
12. North 87° 42' 30" East, 30 feet more or less

to the westerly line or side of County Road 105 also known as Cross River Drive; thence along the westerly side of Cross River Drive on a regular curve curving to the right having a radius of 2206.83 feet a distance of 901 feet more or less to the northerly line of Saw Mill Brook;

running thence along the northerly line of Saw Mill Brook as it winds and turns a distance of 2260 feet more or less;

running thence South 23° 48' 10" East, 100 feet to land of the County of Suffolk;

running thence along land of the County of Suffolk to Riverhead Sewer District and Anthony Sagliocca and others the following nine courses and distances:

1. North 83° 20' 0" West, 357.35 feet;
2. South 23° 48' 10" East, 36.69 feet;
3. North 78° 04' 10" West, 347.60 feet;
4. South 87° 32' 50" West, 28.22 feet;
5. North 70° 27' 40" West, 52.49 feet;
6. North 64° 19' 40" West, 62.80 feet;
7. North 61° 05' 50" West, 132.77 feet;
8. North 64° 29' 40" West, 76.83 feet;
9. North 69° 39' 20" West, 88.13 feet to land of

the Long Island Railroad:

running thence along land of the Long Island Railroad the following twelve courses and distances:

1. North 64° 56' 40" East, 36.35 feet;
2. North 71° 10' 20" West, 8.66 feet;
3. North 64° 56' 40" East, 226.57 feet;
4. South 24° 35' 20" East, 14.40 feet;
5. North 64° 39' 50" East, 362.30 feet;
6. North 65° 0' 10" East, 100.0 feet;
7. North 64° 56' 50" East, 200.0 feet;
8. North 65° 0' 10" East, 100.0 feet;
9. North 64° 56' 50" East, 300.0 feet;
10. North 65° 0' 10" East, 1101.36 feet;
11. South 25° 14' 40" East, 2.73 feet;
12. North 65° 0' 10" East, 665.48 feet to the

point or place of BEGINNING.

All as surveyed by Young and Young, dated September 5, 1975; *and comprising approximately 77 contiguous acres.*

TOGETHER with all the right, title and interest of parties of the first part in and to any lands lying in the bed of Saw Mill Brook; ~~and in the~~

313 ACCEPTS CERTIFICATE OF DEPOSIT - WATER MAIN LATERAL -
MANOR LANE ESTATES

Councilperson Lombardi offered the following resolution, which was seconded by Councilperson Civiletti.

WHEREAS, by previous resolution, this Board approved the water main lateral for Manor Lane Estates subject to the applicant posting \$60,000 to cover the cost of construction of said lateral; and

WHEREAS, the applicant has posted a certificate of deposit with the Empire of America Federal Savings Bank, 655 Old Country Road, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves the above described deposit posted by the applicant to cover the cost of construction of water main lateral for Manor Lane Estates; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Pierre Lundberg, Esq. and Joseph Fuchs, the applicant.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

314 AUTHORIZES ATTENDANCE OF MONIQUE GABLENZ AND ANDREA LOHNEISS AT SEMINAR

Councilperson Boschetti offered the following resolution which was seconded by Councilperson Pike.

WHEREAS, the New York State Conference of Mayors (NYCOM) will be sponsoring the "Main Street, New York" seminar an Economic Development Conference to be held in Saratoga Springs on May 2-5, 1989; and

WHEREAS, it is the desire of Monique Gablenz and Andrea Lohneiss to attend said seminar.

NOW, THEREFORE, BE IT RESOLVED, that Monique Gablenz and Andrea Lohneiss be and are hereby authorized to attend said seminar; and

BE IT FURTHER RESOLVED, that they receive advance monies in the amount of \$200 each for related expenses, said expenses to be fully receipted upon their return; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Monique Gablenz, Andrea Lohneiss and the Office of Accounting.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

315 _____ AUTHORIZES SUPERVISOR TO ENTER INTO CONTRACT WITH
LEWIS S. GOODFRIEND & ASSCS. FOR THE PURPOSE OF DEVELOP-
ING NOISE AND SOUND LEVEL READINGS FOR INCORPORATION
INTO THE RIVERHEAD TOWN CODE

Councilperson _____ Pike _____ offered the following resolu-
tion, which was seconded by Councilperson _____ Boschetti _____.

WHEREAS, this Town Board has authorized the purchase of
sound level meter reading equipment; and

WHEREAS, the initial training of police officers in the use
of said equipment has been undertaken; and

WHEREAS, current ordinances of the Town Code do not contain
regulations and guidelines with regard to noise level control;
and

WHEREAS, the development of such regulations and guidelines
is a highly technical field wherein it is necessary to engage the
assistance of expert consultants.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is
authorized to enter into a contract with Lewis Goodfriend &
Asscs. for the purpose of development of regulations and
guidelines with regard to noise level control for incorporation
into current ordinances of the Riverhead Town Code in an amount
not to exceed \$4,200; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby
directed to forward a copy of this resolution to Chief of Police
Grattan and Lewis S. Goodfriend & Asscs.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#316 AUTHORIZES PAYMENT OF BILLS.

Councilwoman Civiletti offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Supervisor be and is hereby authorized to pay the following:

GENERAL TOWN

Abstract #7 vouchers 921-1148 totalling \$298,411.79

HIGHWAY

Abstract #7 vouchers 122-147 totalling \$ 48,911.80

TOWN HALL CAP. PROJECTS

Abstract 7 vouchers 52 totalling \$ 8,957.85

PUBLIC PARKING

Abstract #7 vouchers 29-34 totalling \$ 2,418.06

STREET LIGHTING

Abstract #7 vouchers 48-53 totalling \$ 2,648.45

DISCRETIONARY

Abstract #7 vouchers 58-75 totalling \$ 93,960.51

YOUTH SERVICES

Abstract #7 vouchers 20-22 totalling \$ 1,024.05

SRS. HELPING SRS.

Abstract #7 vouchers 31-39 totalling \$ 534.13

TEEN CENTER

Abstract #7 vouchers 8 totalling \$ 362.65

EXPANDED IN HOME SERV. FOR ELDERLY

Abstract vouchers 20-23 totalling \$ 110.72

MUNICIPAL FUEL

Abstract #7 vouchers 3-7 totalling \$ 22,740.46

MUNICIPAL GARAGE

Abstract #7 vouchers 44-45 totalling \$ 168.77

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#317 AUTHORIZES PAYMENT OF BILLS.

Councilwoman Civiletti offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Supervisor be and is hereby authorized to pay the following:

GENERAL TOWN

Abstract #7a	vouchers 1008, 1149-1243	totalling \$ 79,782.38
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HIGHWAY

Abstract #7a	vouchers 148	totalling \$ 636.96
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TOWN HALL CAP. PROJECTS

Abstract 7a	vouchers 53-54	totalling \$ 6,912.74
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STREET LIGHTING

Abstract #7a	vouchers 54	totalling \$ 16,138.50
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DISCRETIONARY

Abstract #7a	vouchers 76-78	totalling \$ 1,996.54
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SRS. HELPING SRS.

Abstract #7a	vouchers 40	totalling \$ 45.58
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INSURANCE RESERVE

Abstract 7a	vouchers 1-9,11-20	totalling \$ 15,894.55
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GENERAL TOWN DEBT SERVICE

Abstract 7a	vouchers 17	totalling \$ 850.00
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EISEP

Abstract 7a	vouchers 24	totalling \$ 30.96
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The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

318 CREATES CITIZENS TASK FORCE ON SOLID WASTE MANAGEMENT

Councilwoman Civiletti offered the following resolution which was seconded by Councilman Lombardi

WHEREAS by Resolution Number 147 of 1989, the Town Board did adopt the "Recommendations Regarding Solid Waste Management Policies and Programs for the Town of Riverhead" issued by the Town Board's Solid Waste Management Committee, and

WHEREAS said Recommendations included the recommendation that the Town Board create a Citizens Task Force on Solid Waste Management, and

WHEREAS the Town Clerk did thereafter publish and post a legal notice and a display advertisement seeking volunteers to serve on said Task Force, and

WHEREAS the individuals named herein did express their interest in serving on said Task Force;

NOW THEREFORE BE IT RESOLVED that a Citizens Task Force on Solid Waste Management be and hereby is created to advise the Town Board on matters of solid waste management concerning the town of Riverhead; and

BE IT FURTHER RESOLVED that the following individuals be and are hereby appointed to serve on the Citizens Task Force on Solid Waste Management without compensation and at the pleasure of this Board:

CAMILLO AMBROSINI
DANIEL AMBROSINI
JOHN DIVELLO, JR.
WARREN GOLDSTEIN
CINDEE JESKI
MITCHELL HAGLER

WILMA HURNEY
JOHN HURNEY
GEORGE MATHYS
VICTORIA SUNSHINE
BARBARA STUBBE
MEYER SEGAL

JOHN REARDON
MARYPAT TAKACS
STUART TOBIN

BE IT FURTHER RESOLVED that the Town Clerk be and hereby is authorized to forward a copy of this resolution to each of the foregoing individuals at their mailing address as indicated on the attached list.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.